



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

X

Netsoft USA, Inc.,

Plaintiff(s),

06 Civ. 14348 (CM) (GAY)

-against-

Incremax Technologies Corporation, et al.,

Defendant(s).

X

### CIVIL CASE MANAGEMENT PLAN

1. This case ~~is~~ is not to be tried to a jury.

2. Discovery pursuant to Fed.R.Civ.P. 26(a) shall be exchanged by dearing settlement report on May June 15 which is 30 days after service on the last defendant to be served.

3. No additional parties may be joined after N/A.

4. No pleading may be amended after N/A.

5. All discovery, including expert discovery, must be completed on or before 6/11/08. (For personal injury, civil rights, employment discrimination or medical malpractice cases only): Plaintiff's deposition shall be taken first, and shall be completed by N/A. PLEASE NOTE: the phrase "all discovery, including expert discovery" means that the parties must select and disclose their experts' identities and opinions, as required by Fed. R. Civ. P. 26(a)(2)(B), *well before* the expiration of the discovery period. Expert disclosures conforming with Rule 26 must be made no later than

The expert disclosure - 10/12/07, A expert report - 11/16/07

6. A joint pre-trial order in the form prescribed in Judge McMahon's individual rules, together with all other pre-trial submissions required by those rules (not including in limine motions), shall be submitted on or before 2/22/2008. Following submission of the joint pre-trial order, counsel will be notified of the date of the final pre-trial conference. In limine motions must be filed within five days of receiving notice of the final pre-trial conference; responses to in limine motions are due five days after the motions are made. Cases may be called for trial at any time following the final pre-trial conference.

7. No motion for summary judgment may be served after the date the pre-trial order is due. *The filing of a motion for summary judgment does not relieve the parties of the obligation*

*to file the pre-trial order and other pre-trial submissions on the assigned date.*

8. This case has been designated to the Hon. United States Magistrate \_\_\_\_\_ White Plains for discovery disputes, which will be resolved under the White Plains Magistrates' standing order for Resolution of Discovery Disputes, and for trial under 28 U.S.C. Section 636(c) if counsel execute their consent in writing. Discovery disputes do not result in any extension of the discovery deadline or trial-ready date.

9. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the time this order is entered. *Counsel should not assume that extensions will be granted as a matter of routine.*

Dated: 4/13/2007  
White Plains, New York 10601

SO ORDERED

A handwritten signature in cursive script, appearing to read "Colleen McMahon", written over a horizontal line.

Hon. Colleen McMahon  
United States District Judge